MERCHANT & GOULD P.C.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

are named below) of the subject ma	atter which is claimed and for w	hich a patent is sought o	on the inventi	joint inventor (if plural inventors ion entitled: METHOD OF A SECOND CONTROL SIGNAL
The specification of which a. \(\sum \) is attached hereto b. \(\sum \) was filed on as application described and claimed in internation United States patent.	on serial no. and was amend nal no. filed and as ame			of a PCT-filed application) eviewed and for which I solicit a
I hereby state that I have reviewed any amendment referred to above.	and understand the contents of	the above-identified spe	cification, in	cluding the claims, as amended by
certificate listed below and have althat of the application on the basis	so identified below any foreign of which priority is claimed:	es Code, § 119/365 of a application for patent or	ny foreign ap r inventor's c	oplication(s) for patent or inventor's ertificate having a filing date before
a. \(\square\) no such applications have be b. \(\square\) such applications have been				
FORI	EIGN APPLICATION(S), IF ANY, C	LAIMING PRIORITY UNI	DER 35 USC §	119
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)		DATE OF ISSUE (day, month, year)
ALL FORE	 IGN APPLICATION(S), IF ANY, FI	LED BEFORE THE PRIOR	RITY APPLICA	ATION(S)
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)		DATE OF ISSUE (day, month, year)
manner provided by the first parag	natter of each of the claims of the raph of Title 35, United States (all Regulations, § 1.56(a) which (all the content of the	is application is not disc Code, § 112, I acknowle	closed in the dge the duty	international application(s) listed prior United States application in th to disclose material information as he prior application and the nationa
U.S. APPLICATION NUMBER	DATE OF FILING	(day, month, year)	STATUS	6 (patented, pending, abandoned)
I hereby claim the benefit under Ti	itle 35, United States Code § 11	9(e) of any United State	s provisional	application(s) listed below:
U.S. PROVISIONAL A	U.S. PROVISIONAL APPLICATION NUMBER DATE OF FILING (Day, Month, Year)			

I acknowledge the duty to disclose information that is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (reprinted below):

§ 1.56 Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
 - (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
 - (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;

or

- (2) It refutes, or is inconsistent with, a position the applicant takes in:
 - (i) Opposing an argument of unpatentability relied on by the Office, or
 - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
 - (1) Each inventor named in the application:
 - (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Ali, M. Jeffer Reg. No. 46,359 Anderson, Gregg I. Reg. No. 40,274 Anderson, Gregg I. Reg. No. 28,828				
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In addition, I also hereby appoint the following attorneys to prosecute this application and to transact all business in the U.S. Patent and Trademark Office in connection therewith:

Byrne, Christopher J.	Reg. No. 32,204	Tremain, Allen	Reg. No. 40,207
Conser, Eugene	Reg. No. 39,149	Viger, Andrew S.	Reg. No. 28,552
Maxin, John	Reg. No. 34,668	Wang, Peter Y.	Reg. No. 40,452
Reif, Coleman	Reg. No. 38,593		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

I understand that the execution of this document, and the grant of a power of attorney, does not in itself establish an attorney-client relationship between the undersigned and the law firm Merchant & Gould P.C., or any of its attorneys.

Please direct all correspondence in this case to Merchant & Gould P.C. at the address indicated below:

Merchant & Gould P.C. P.O. Box 2903 Minneapolis, MN 55402-0903

Customer Number 23552

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name	Family Name	First Given Name	Second Given Name	
	Of Inventor	Smith	Gregory	J.	
0	Residence	City	State or Foreign Country	Country of Citizenship	
	& Citizenship	Tucson	Arizona	USA	
1	Mailing	Address	City	State & Zip Code/Country	
	Address	4980 NaFort Verde Trail	Tucson	AZ 85750 / USA	
Sign	Signature of Inventor 201: Date: 9/5/63				
ı —					
2	Full Name Of Inventor	Family Name Chen	First Given Name Yinming	Second Given Name	
0	Residence	City	State or Foreign Country	Country of Citizenship	
	& Citizenship	Tucson	Arizona	China	
2	Mailing	Address	City	State & Zip Code/Country	
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Signature of Inventor 202: Pate: 9/5/03					